THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5380 of 2007

Date: 16.03.2007

Between:

Sujatha Gupta.

....Petitioner

And

The Superintending Engineer, Central Power Distribution Company of Andhra Pradesh Limited, R.R.District, South Zone, Gunrock, Secunderabad and others.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5380 of 2007

O R D E R:

Petitioner states that under a will, dated 08.01.1998, executed by late Smt Nirmal Kumari, a house bearing No.13-2/5 at Gupta Gardens, Ramanthapur, Uppal Mandal, Ranga Reddy District, was bequeathed on her. The property has since been mutated in the name of the petitioner in the municipal records. The premises were under the occupation of a tenant, till the year 2004. A service connection was obtained by him in his name. In the year 2004, he not only vacated the premises, but the service connection was also shifted to some other premises, at his request.

Another item of property held by late Nirmal Kumari was bequeathed to one Mr. Suresh Chandra Gupta. The tenant in respect of that property, however, committed default in payment of arrears. When proceedings were initiated, to recover that amount from the petitioner and Mr.Suresh Chandra Gupta, both of them filed W.P.No.2606 of 2007 before this Court. An interim order was passed and the writ petition is pending. Petitioner states that she submitted an application, for providing

individual service connection to her premises; and her grievance is that the respondents are not receiving the application, much less processing it.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The petitioner is the owner of the premises bearing No.13-2/5 of Ramanthapur. According to the averments of the petitioner, there are no arrears in respect of any service connection for the said premises. Even the tenant, who vacated the premises, cleared the arrears, and the service connection was transferred. The question as to whether the petitioner is liable, in any manner, to pay the arrears, in respect of the service connection obtained by the tenant in the other premises needs to be considered in the writ petition, which is now pending. The respondents cannot refuse to receive the application of the petitioner for providing a new service connection, according to the existing terms, as long as the petitioner, by herself, is not in arrears of any service connection.

Hence, the Writ Petition is disposed of, directing the respondents to consider the application of the petitioner, for providing service connection to the premises bearing No.13-2/5 of Ramanthapur, Uppal Mandal, Ranga Reddy District, within a period of four (4) weeks from the date of receipt of a copy of this order. It is, however, directed that

extension of power supply to the petitioner shall be subject to the outcome of W.P.No.2606 of 2007. There shall be no order as to costs.

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16.03.2007

JSU